



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,498	07/24/2001	Rana Dutta	770P009584	8232
2512	7590	06/07/2005	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			WINTER, JOHN M	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/830,498

Applicant(s)

DUTTA ET AL.

Examiner

John M Winter

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-5, 7-20, 22-25, 27-40 and 42-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 43-53 is/are allowed.
- 6) ☒ Claim(s) 2-5, 7, 9, 15-20, 22-25, 27, 29, and 35-40 is/are rejected.
- 7) ☒ Claim(s) 10-14 and 30-34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 3621

DETAILED ACTION

Claims 2-5, 7-20,22-25, 27-40 and 42-53 remain pending

Response to Arguments

The Applicants arguments filed on March 19, 2005 have been fully considered. The examiner submits that the indicated allowability of written claims 8, 28, 42 has been withdrawn in view of the reference to Kara, (WO 97/14117). Element 1309 of Figure 13 in Kara discloses a selectable listing of US postal classes that are available as shipping options. The examiner contends that this feature meets the claimed limitation of selecting a carrier because different modes of delivery are used (i.e. ground versus air mail).

The examiner would like to note that US patents 6,006,200 (Boies et al.) and 6,015,167 (Savino et al.) have not been cited in the present rejection but are pertinent prior art.

The Cai reference has been withdrawn.
See following rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 – 5,7,9,15-25, 27, 29, and 35-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kara, (WO 97/14117) in view of Berson (US Patent No 5,768,384).

As per claim 2,
Kara ('117) discloses the method of claim 42,
wherein producing comprises printing the shipping/mailling data.(Figure 16b)

Claim 22 is in parallel with claim 2 and is rejected for at least the same reasons.

As per claim 3,
Kara ('117) discloses the method of claim 42,
wherein producing comprises encoding the shipping/mailling data in a 3 dimensional bar code.(Figure 3)

Claim 23 is in parallel with claim 3 and is rejected for at least the same reasons.

Art Unit: 3621

As per claim 4,

Kara ('117) discloses the method of claim 42,

Kara ('117) does not explicitly disclose encrypting the data. Berson ('384) discloses encrypting the data. (Figure 3) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Kara method with the Berson in order to increase security of the system.

Claim 24 is in parallel with claim 4 and is rejected for at least the same reasons.

As per claim 5,

Kara ('117) discloses the method of claim 42,

Kara ('117) does not explicitly disclose shuffling the data. Berson ('384) discloses shuffling the data. (Figure 3) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Kara method with the Berson in order to increase security of the system.

Claim 25 is in parallel with claim 5 and is rejected for at least the same reasons.

As per claim 7,

Kara ('117) discloses the method of claim 42,

generating the shipping/ mailing data comprises pasting from a clipboard.

Official Notice is taken that "generating the shipping/ mailing data comprises pasting from a clipboard" is common and well known in prior art in reference to computer programs. It would have been obvious to one having ordinary skill in the art at the time the invention was made to generate the shipping/ mailing data comprises pasting from a clipboard in order to accurately transfer data.

Claim 27 is in parallel with claim 7 and is rejected for at least the same reasons.

As per claim 8,

Kara ('117) discloses the method of claim 42,

wherein generating the shipping/ mailing data comprises selecting a carrier.(Figure 13)

Claim 28 is in parallel with claim 8 and is rejected for at least the same reasons.

As per claim 9,

Kara ('117) discloses the method of claim 42,

wherein generating the shipping/ mailing data comprises selecting a class of 3 service.(Figure 13)

Claim 29 is in parallel with claim 9 and is rejected for at least the same reasons.

As per claim 15,

Kara ('117) discloses the method of claim 42,

Art Unit: 3621

Official Notice is taken that “an application for servicing the client terminals keeps running even in the absence of a request from a client terminal” is common and well known in prior art in reference to computer programs. It would have been obvious to one having ordinary skill in the art at the time the invention was made that an application for servicing the client terminals would keep running even in the absence of a request from a client terminal in order to reserve computer resources for the application.

Claim 35 is in parallel with claim 15 and is rejected for at least the same reasons.

As per claim 16

Kara ('117) discloses the method of claim 15,

Official Notice is taken that “the host terminal has a launcher application for keeping the application running” is common and well known in prior art in reference to computer programs. It would have been obvious to one having ordinary skill in the art at the time the invention was made that the host terminal has a launcher application for keeping the application running in order to prevent the operating system from faulting.

Claim 36 is in parallel with claim 16 and is rejected for at least the same reasons.

As per claim 17

Kara ('117) discloses the method of claim 42,

further comprising the host terminal referring to a hardware key for enforcing license compliance.(Figure 7b)

Claim 37 is in parallel with claim 17 and is rejected for at least the same reasons.

As per claim 18

Kara ('117) discloses the method of claim 17,

Official Notice is taken that “compliance with a maximum number of client terminals being serviced by the host terminal” is common and well known in prior art in reference to computer programs. It would have been obvious to one having ordinary skill in the art at the time the invention was made that compliance with a maximum number of client terminals being serviced by the host terminal in order to prevent the server from being overloaded.

Claim 38 is in parallel with claim 18 and is rejected for at least the same reasons.

As per claim 19

Kara ('117) discloses the method of claim 17,

Official Notice is taken that “the host terminal making callbacks to the client terminal” is common and well known in prior art in reference to computer programs. It would have been obvious to one having ordinary skill in the art at the time the invention was made that the host terminal would make callbacks in order to prevent all of the available slots from being locked by dead terminals.

Art Unit: 3621

Claim 39 is in parallel with claim 19 and is rejected for at least the same reasons.

As per claim 20

Kara ('117) discloses the method of claim 17,

Official Notice is taken that "the host terminal allowing a different terminal to fill in for a disconnected terminal" is common and well known in prior art in reference to computer programs. It would have been obvious to one having ordinary skill in the art at the time the invention was made that the host terminal allowing a different terminal to fill in for a disconnected terminal in order to prevent all of the available slots from being locked by dead terminals.

Claim 40 is in parallel with claim 20 and is rejected for at least the same reasons.

As per claim 42,

Kara ('117) discloses a method for shipping/mailing articles comprising:

producing the shipping/mailing data for generating a shipper's label.(Figure 16b [shows printed card with bar code ; also page 34, lines 5-25)

selecting a carrier (Figure 13, [element 1309 depicts a selection of carrier options i.e. 1st class or air mail etc...])

Kara ('117) does not explicitly disclose generating shipping/mailing data for one of the articles at one of a plurality of client terminals which are linked to a host terminal, wherein generating comprises information transfer between the client terminal and the host terminal. Berson ('384) discloses generating shipping/mailing data for one of the articles at one of a plurality of client terminals which are linked to a host terminal,(Abstract) wherein generating comprises information transfer between the client terminal and the host terminal. (Figure 3) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Kara method with the Berson in order to reduce the cost of operation by utilizing a network that can be centrally managed.

Allowable Subject Matter

Claims 43-53 are allowable over the prior art record.

Claims 10-14 and 30-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Examiners note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references

Art Unit: 3621

in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the examiner should be directed to John Winter whose telephone number is (571) 272-6713. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at (571) 272-6712. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

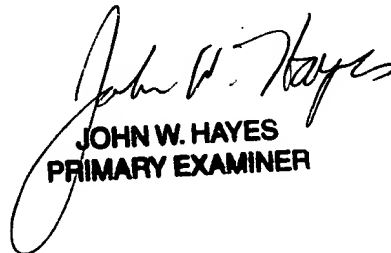
Washington, D.C. 20231

or faxed to:

(703) 305-7687 [Official communications; including After Final communications labeled "Box AF"]
(703) 308-1396 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Examiner in the Knox Building, 50 Dulany St. Alexandria, VA.

JMW
May 29, 2005


JOHN W. HAYES
PRIMARY EXAMINER